THE

LIFE OF JOHN HOWES,

A LOYALIST OF THE

Memorable Revolution of 1776.

HIS ATTACHMENT TO THE MOTHER COUNTRY—HIS BANISHMENT TO NOVA SCOTIA—HIS ETERNAL HATRED TO THE UNITED STATES FLAG—[illegible] SUBSEQUENT

PIRATICAL CRUELTIES

ON THE EASTERN COAST DURING THE LATE STRUGGLES OF 1812 AND 13:

TOGETHER WITH A

COMPENDIOUS AND WELL-AUTHENTICATED ACCOUNT

OF HIS CRUEL AND ILL-FATED FAMILY, WHOSE LIVES PAID THE PENALTY OF THEIR CRIMES.

CAREFULLY SELECTED BY THE AUTHOR,

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PREFACE.

THE first edition of this work, the principal design of which was for the information of the inhabitants of Nova Scotia and New Brunswick, being found entirely inadequate to supply the extraordinary demand, I therefore consider it expedient, as well as interesting, to prepare a second edition, revised and improved, and proportionably enlarged, for the gratification and information of our more western neighbors; hoping it will meet a similar approbation from a people already acknowledged among the most enlightened and solicitous searchers after useful knowledge. Anticipating the perusal of this will be productive of great excitement, as it exposes to the world the rise and fall of a family whose principles were the most insidious and avaricious, and their designs the most infamous, that the mind can contemplate, and which invariable lead to a violation of the laws of God and man.

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THE HOWES FAMILY.

In the course of human events, whilst men are engaged in the various occupations of life, a duty devolves itself upon me, of so important a nature, that I cannot evade its principles. Therefore I hope it may not be considered by the readers of this publication an unnecessary or unimportant inquiry to transmit to the enlightened and Christian community a compendious account of the life of John Howes, his family, and succeeding posterity. The momentous history of which embraces the sole foundation of his immoral and atrocious cruelties, whose name in succeeding generations will stain the page of history with everlasting disgrace, and raise monuments of dishonor upon the characters of the children yet unborn of his family, so numerously connected throughout the universe. The unfading blemishes so richly deserved by him and his unfortunate family, never can, nor will, as long as a human being exists in this section of the globe, be eradicated from the minds of those relatives now in animation, whose progenitors suffered the most barbarous atrocities on both land and sea. The rod of affliction which he held in his hand consigned numbers to a watery grave, long antecedent to their expectations, in the midst of youth and bloom, that happy portion of human life, and surrounded with the pleasures of existence, so consonant to human life, the value of which, when judiciously cultivated, far exceeds the splendor of the universe; whose inhuman murders and cruel inflictions have not gone to the grave, there to lie in the deep recess of terror, to sleep in silence and sink in oblivion. No, but it has emerged, the principles of which to excite the interest and curiosity of the inhabitants of the Christian world, that they may see the effects of a want of humanity. So alarming are the consequences of those base and perfid-

ious cruelties, the intelligence of which when rehearsed (much more when felt) are sufficient to shudder the mind and weaken the heart, and be productive of serious changes of a momentary nature on the human constitution. Those faculties, so essential to man, bestowed by the great Author of Nature, which adorns the mind, qualifies the intellect, and prepares it for the important undertakings, that it may not be deprived of any of its essential qualities, by dictating to the imagination the miserable fate of the loveliest works of human nature, whose inhuman fate will soon appear.

Reader, thou canst but admire the works of Omnipotence, and view with consternation the grandeur of the universe, the sublimity of his precepts, and the innumerable ways and means he has propagated to our satisfaction, in exploding the bond to the world which in its effects contained the downfall, and heart-rending murders ever recorded in the page of crime. So lamentable are its depredations, in a social point of view, (even in former years,) the fruits of which have left the fatherless and motherless, and orphan, to roam neglected in this sea of misery, destitute of a habitation, and exposed to every pestilential vapor sweeping round the globe. These are evident principles, clear to the understanding of all, which divine Providence will surely punish, one time or other, with severe maledictions. But we find that in a short period the power of the offended begins to make its appearance, and in a little time produces serious consequences.

It may not be improper to remark, before further investigations, and in order to remove it from the mind of every individual, lest the name might seem to have any claim, and prejudice betray some to think that the family of John Howes belonged in any degree to the stock which produced that great and illustrious character, Sir James Howes; therefore, in order to distinguish him, and mark the transactions and circumstances of his progeny, which constitute the object of this production, and also to satisfy the mind of the solicitous researcher after the rise and miserable downfall of this once curious and respectable family. John Howes, a native of the South of Scotland, who emigrated at a very early period, possessing an ordinary share of talent, in the course of time settled in West Chester county, State of New York, and by his industry acquired a very desirable property there; but in the course of time to him was born a son, whom he called John Howes, the principal subject of this narrative. His father gave him the opportunity of receiving the rudiments of a polished education, and at his decease, bequeathed him all his property, real and personal; but having acquired wealth, he became a dignified person in the eyes of many. As we find money has often been the means of exalting many to high promotions unworthily, without ever looking to their moral

character, particularly under the jurisdiction of British influence. However, indulging myself in the idea that no political sentiment which has or may fall from my pen inadvertently, will cause any offence for a moment. As it does not belong to my province to interfere with political sentiments or national affairs, I barely state the facts, as they have appeared in authentic records, and from their open exposure in the court at the bar of justice, in which I have the honor to be a member. Therefore I leave every thing to the reader's dispassionate remarks, most consonant to his disposition.

The family of this unfortunate individual consisted of two sons and one daughter, the accurate history of whose lives will appear on the pages of this interesting publication, in their respective places; the accounts of which will be found to contain their rise and downfall, as also that of their unfortunate father, whom I am compelled to lay down and describe. The charges which are imputed upon him by historical productions — the vile, unprincipled and shameful actions he committed — no parallel can be found in the annals of crime, and which seems he has handed down to his followers, in regular succession, the consequences, the most inhuman. I assume that in the page of history, neither ancient nor modern, cannot be found any parallel. No, not even when the city of Jerusalem, when suffering in the midst of war, besieged by Titus, and its inhabitants starving to death within its walls, where we have the accounts of mothers eating their own children, which of itself is so far beyond the precincts of nature that I can scarcely conceive it to have any resemblance to the actions which encompass this man and his family, which of the latter I am obliged to say that their behavior and fate in life was more miserable than the former. The names of the wretched family being Henry, John, and Maria Howes, of which the account of the latter will conclude this work. As I conscientiously consider it a duty incumbent upon me to undertake a task so difficult and contrary to my profession, that I pledge myself that no exageration of its principles will appear, beyond historical, and self-evident principles, and actual knowledge, which have appeared in the Supreme Court of Halifax. That the intelligent world may view with abhorrence the conduct of a wicked race, that having appeared to the eyes of the world at the bar of justice, cannot be regretted one moment by the most ordinary minds. In order that I may enter into a detail of life in a comprehensive view.

The first, or earliest account we have of him, we find in Gringer's Life of the Refugees, vol. 1, p. 125; a work now extant, and well authenticated.

We find that in the year 1775, a year so memorable in American history, John Howes, son of the primitive John Howes, who emigra-

ted and settled in West Chester Co., State of N. Y., and possessed his father's property, then of about the age of 22, of a robust constitution and intellectual abilities, a period when the vigor of youth begins to combine with manhood; yes, a period which either makes the disposition or spoils it, generally. In directing our attention to his principles of life, we find his father determined to keep his only son neutral, if possible, from being distinguished in the eyes of men. A lesson quite contrary to his previous precepts and example; and in this much the son seemed to act in conformity with his father's desire, and in accordance with the words of the royal Psalmist, which says, "Train up a child in the way he should go," &c. However, we are informed he immediately espoused the flag of royalty on the arrival of the news of the battle of Bunker Hill, on the 17th of June, which animated so many in behalf of His Majesty — first in order to have himself signalized as a loyal subject, an appellation which very soon lost its favor in that portion of the world. Notwithstanding, he fought bitterly, not only under Cornwallis, but also under Burgoyne, until he had the mortification of beholding that valiant chief, clad in rich uniform, transfer his sword to an humble militia officer — General Gates — at Saratoga, when he, with many others, evacuated the country, and not only lost sight of the property which he hoped to share a part, but to his mortification lost sight of all his father's real property. Having no other alternative in the world but to solicit the home government to endow him with a tract of land, which they did, as a compensation for his valiant services in behalf of his King and country. He selected a situation on the Bay of Fundy, where now stands a neat little village called Windsor, a distance of about 40 miles from Halifax, in the province of Nova Scotia, where he remained in frowful tranquility, like the clouds on the approach of a storm. We find very little of importance concerning him until the breaking out of the war between Great Britain and the United States. Although near his sixtieth year, he yet retained, like the rattle snake, the egg of poison caused by his overthrow and defeat in youth, a condensed account of which will appear in the following pages, and I venture to assert stands unequalled in the book of crime. I wish, before I proceed any further, to draw the attention of the reader to the important affairs in which the primitive John Howes was concerned, after having to abandon his father's property, situated as before mentioned.

During the late struggle, so profitable to some, and so disastrous to others, owing to the intensity of the climate in that new settlement, then the home of the royalists and refugees, they had to resort to fishing in order to procure a subsistence, which business still continues. They, of course, by their long experience, acquired a

complete knowledge of the coast, far superior to their more western neighbors, an advantage which many of them embraced at that period. Among the first was John Howes, who was afterwards known as master of the Spitfire, a topsail schooner of about one hundred and fifty tons, said to be one of the fastest sailing schooners ever on the coast. She had sharp bows, pink stern, though great bearings, and raking masts; and, beyond all, a desperate and determined crew, perfectly obedient, and a master who, during years previous, was engaged in the coasting trade, and when opportunity offered, soon became fitted out as a privateer, frequently acting the part of the most cruel pirate.

The first cruel deed we find him engaged in during the war of 1812, was in the sinking of a brig from Cuba, bound for Boston, between Cape Cod and Cape Elizabeth, the detail of which we find in the Halifax Commercial Gazette, given by one of the persons then on board the privateer, from which authority we principally quote the following.

On the morning of the 15th of July, 1813, the wind blowing pretty lusty from the Southwest, and a long, heavy sea running, saw a sail about five or six miles to the leeward, which was immediately announced to be a brig from the West Indies, heavily laden, when instantly orders were given to the helmsman to run right for her, which was immediately complied with, decks being cleared, and preparations made for an attack; but the brig did not seem to recognize them. When, to their astonishment, the Spitfire fired into them the first broadside, carrying away their mainsail, foresail, flying jib, and other spars, her crew immediately jumped upon deck, resolved to fight, which they did gallantly for upwards of an hour, though having only two guns, a few boarding pikes, and one or two rifles aboard, with which they three times repulsed the crew of the Spitfire, though three times their number, and well armed; but out of the brig's crew, consisting of the captain and nine men, only five were then alive, and some of them badly wounded, who were criminally put in irons, and caused to walk the plank, their brig floating long enough to pillage her of every movable thing.

To record the many depredations which he committed upon that coast would far exceed our present limits. Suffice it to say, the foregoing, which of all others proved to him the most lucrative transaction he ever accomplished upon the sea, and for that reason I select it from out the many of lesser importance, though all containing mournful consequences. In order to characterize him in sport, he was known as a pestilence on the coast. His hell-fiend piracies were the means of leaving many a brave fellow in the deep, and many a disconsolate widow weeping for her husband,

whom she was destined never again to behold in this world, and the poor orphans to bewail the loss of their father, so dear to them.

To dwell on the misfortunes and transactions of this man would fill a work far more voluminous than time would at present permit me to accomplish. His barbarous acts, committed on both sea and land, appear to have been prompted by no other desire than the accumulation of wealth, and an aversion to the American flag, on which his depredations were felt;—these are the only reasons that can be deduced from historical narrations.

Before I conclude this subject, I wish to direct the attention of the reader to another important transaction. As the cruel murderer became so well known and felt in his day of career, which, thank Providence, has vanished, one which was, of all others, the most cruel and lawless, and being quite fresh in the minds of many to this day, I will exert my pen to describe the following transaction in regular succession.

A few months after the sinking of the brig before mentioned, while cruising between Cape Elizabeth and Mount Desert, the crew of the Spitfire found many difficulties in making their escape from American cruisers equally as expert, and prosperity beginning to decline, the crew began to mutinize, some charging the captain with cowardice, &c. However, he resolved to give them a trial on the first opportunity, as we find from the above authority.

On the 12th of October, saw a sail to the windward, then blowing a heavy gale from the Northwest; put about, and by noon ran up to the windward of her, and found her to be the Amazon, of Bangor, with timber, having female passengers on board. As the privateer made another tack, to come down on her bows, the movement was expectantly watched by the Amazon, but, being heavily laden, she was unable to escape: when the Spitfire determined to exhibit a superiority of naval movement, contrary to all custom. She came alongside, fired a broadside into the Amazon, which was ineffectual, tacked again, fired her bow guns and gave another broadside, which swept the schooner fore and aft, and seriously damaged her hull; while the ill-fated and defenceless crew stood in terrified alarm, beholding the preparations of death awaiting them on every side, but still determined to defend themselves until the last. When, in a few moments, the desperadoes, casting their grappling-hooks, attempted to board, the gallant crew repulsed them several times with severe loss; but, being overpowered by numbers, they were compelled to fall back before the advance of the savage crew, who conquered the unhappy remnant of the Amazon crew, only six in number. They then manned the schooner, steering E. by N. E., bringing with them not only the captured crew and craft, but the helpless and defenceless females, who fell under the unmerciful

grasp of these cruel and unrelenting tyranrs. How can the mind of man feel, when attempting to comment upon the miserable fate of this unfortunate crew, wrecked upon the waves of destruction, and under the tyrannical and unprincipled grasp of pirates, whose brutal and sanguinary disposition inflicted upon them the most barbarous and inhuman conduct. How can we avoid lamenting, with bitter tears and anguish, the fate of eight unfortunate females, led by a pirate crew on the wild waves of the sea, destitute of every comfort, and subject the brutal desires of men commanded by a captain who behaved to and treated them in the most inhuman manner, according to the corruptions of his nature. Lest it should prove disagreeable to the finer dispositions to enter into a minute detail of the unruly deeds of men subject to the infirmities of nature so agreeable to their minds, I will defer the subject, leaving them to the reader's conjecture.

After keeping them fifteen days subject to their desires, they at length launched three of them overboard, who died by the inhuman conduct offered to them. The remainder they sent ashore on the Island of Grand Menan, situated in the Bay of Fundy. Four of the male victims died of their wounds, and the remaining two were suffered to go ashore at Little River, situated about twenty-eight miles west of Eastport.

It is almost as unnecessary as it is interesting to cite any more of the cruelties perpetrated by the privateers. If history could produce even one noble or generous deed, I would feel a sorrow in depriving them of its publication, but in vain. We might search historical and personal accounts, and we could find not the least symptom tending to good, but every thing pointing to unmerciful and unrelenting cruelty. He was not generous to the poor, unfortunate females; if he had been favorable, and treated them kindly, he might have left a good action to be reminded of. In no instance do we find him ever to attack any vessel which seemed as if able to defend itself. However, they continued their depredations for some time, hovering about, until at length they came in contact with an unsuspected craft, a little time after, while cruizing off Nantucket Shoals, which was about as far west as they usually went; but on the 14th of November, the day being hazy, the wind West by South, about 3 o'clock, P. M., saw a sail to the southward, but did not come to any conclusion what she might be. On the following morning, at half-past six oclock, she found herself quite convenient to a sloop of war of ten guns: but during the night, the wind shifted to the West, and retarded the motion of the sloop towards them. They, of course, did not proceed towards her; but about noon the sloop crowded all sail, and seemed resolved on an attack. At 2, P. M., the sloop overhauled her, and a desperate fire was kept up

from both sides, without much injury to the assailant, as we find from the above. The combat continued for near an hour, in which time the Spitfire lost six men killed and four badly wounded; the captain receiving a spent ball in the shoulder, which caused amputation. The wind blowing fresh at that time from a contrary direction to the previous day, there was consequently a heavy sea running, which saved the privateer, as she could sail much faster than her formidable antagonist in a heavy sea, or even in a light one. Towards sundown the wind began to die away, when she was almost lost sight of in the dark of night. However, the shades of night disappearing, the following morning she found herself hotly pursued, and during that entire day, until she was again lost sight of. But she had very little to spare by sundown, for had the chase continued two hours longer, she would have been overhauled, and if so, wo be to her.

The following morning the water was covered with a thick fog, which is quite common in the Bay of Fundy, and this gave her great advantage, as they risked a course to shore, and the Neptune could not advance, on the approach of low water, as fast as the Spitfire.

This engagement put an end to piratical expeditions by Capt. John Howes. Having repaired to his residence, situated as before remarked, he resided there for some years, but eventually departed this life, weighed down by the most infamous and cruel acts, to appear before Him who will reward him as he deserved. His name will be immortalized in the pages of history with aversion and disrespect. It shall not be permitted to sink in oblivion, so that the gloomy mantle which surrounds his deeds of inhumanity shall rise and cast itself in the face of the children of his seed, even to the generations unborn of him; which the attentive reader may view conspicuously when he reads the eventful, miserable life of two sons and one daughter, particularly of the younger son, whose curious life constitutes the sole foundation of this production—whose life and bold undertakings does not enfold an equal.

To return to my subject. In order that I may give a satisfactory narration of John Howes and his family in succession, commencing as I have, and ending with the daughter, I wish to draw the attention of the reader to the elder son, whose name is Henry, the life of whom I will expatiate as brief as possible, observing that nothing of interest shall be omitted in his eventful life. He purchased an officer's commission in the British service in 1815, in an infantry regiment, and conducted himself with perfect regularity for some years, as far as military order and discipline is concerned; but being addicted to intoxicating drinks, in which he indulged himself at pleasure, he became the most lustful and disorderly man

known in the service. These evils preying upon his conduct, together with the infirmities of his nature, heaped irregularities upon him, until, becoming unbearable, he soon incurred the displeasure, not only of his superior officer, but also the displeasure and contempt of his brother officers. He was subsequently tried by general court martial, and honorably acquitted. But the past did not teach him prudence, for his ambition, as we often find, both by experience and historical knowledge, is often the source of serious revolutions in the human mind productive of bad effects, which we now see in its full uniform, planting its seed in the heart of this unfortunate man. See the fruits which it has produced, observe the consequence of their use, in agitating the mind of this fated man, exciting him in vice more and more, until at length he loses all sense of respect for himself and self-preservation, pursues a life the most abominable and atrocious, without any regard for God or man.

We are informed by the indisputable authority of the London Times of the 15th of August, 1840, from which we deduce the particulars concerning him. Having taken up with a lady of depraved character, as indifferent as that of his own, they lived together for near two years, the most miserable and discontented life that can be imagined. His abrupt temper transpired against her. At length he resolved he should be no longer annoyed by her threats, as the reader will find the principles of in the concluding part of his life. Being engaged in a conspiring and mutinising society, so injurious in its effects, and contrary to all law, this is one important principle assigned for her fatal ruin. The barbarous treatment he gave her, that she seemed as if determined to explode the bond connected with him and his associates, whose fears were as conscious as that of his own. Her body was found by persons who were hunting after an animal peculiar to that country, in an old gripe. After having laid for four or five months, as the verdict of the inquest considered, it was assumed that her throat had been cut from ear to ear. Previous to the discovery of the corpse, he was taken, for the above crime of mutinization, and confined and tried by courtmartial, found guilty, and sentenced to be shot, which command was executed in the barrack yard in the city of Bath, on the 4th of June, 1840, at the hour of 12 o'clock. The guard consisted of twelve men, who were marched to the place of execution—the unfortunate man placed upon his one knee, and his coffin beside him. When orders were given, the unfortunate body met the fate of an ill-spent life in this world. Several were the rumors of other ladies and gentlemen, when her presence could be no longer seen, but on account of their character and the life they lived. It was suspected that she had abandoned him, and repaired to some other place. She bore him one female child of about eight months old, of which nothing

is known. But when her body was found, several ladies and gentlemen recognized her decayed appearance, and all came to the unanimous conclusion that she was the unfortunate wife of Henry Howes, whose fate was just remarked.

The principles which led to his detection were,—as he was on parade one day, he carelessly dropped a paper, which his sergeant picked up and examined, and found it belonged to him. This led to an inscrutable search, when all was discovered, and when brought to trial gave immediate conviction. These illegitimate proceedings were introduced to him from members who were residents of the country. By his vindictive disposition, he thought to establish its consequences in the service. However, he derived but little success, owing probably to a limitation of time. He considered it was the only means in satisfying his insatiable desire for revenge; an evil which, in its effects, has been productive of so many misfortunes, so much so that the reader needs no comment upon it. Sufficient to say, that the transactions of his father, which you are already acquainted with in a concise manner, together with his own, has absorbed from the earth, where the remnant of his cruelties are mouldering to dust, has collected its ingredients into vascular vapor, hovering in the atmosphere, pursuing the footsteps of its unfortunate victim, until at last, unable to support its justice, it descends upon him in mighty fury, and commands he shall no longer enjoy the paths of the living. Just like a mighty river, deriving its source from little and little, until, by degrees, its power becomes so terrible that it cannot be withstood, till it mingles its waters in the ocean. So you may evidently see from what little circumstances serious events often times will emerge,—as it was from dropping one of those papers which contained his downfall. But divine Providence has innumerable ways and means in producing his just dispensation. But in order that I may satisfy the minds of solicitous readers after this unfortunate family, and that I may detain their patience no longer upon incidents which occur in places far remote, was because I wish to elucidate, in the simplest manner, to all who will avail themselves, both old and young, in perusing the history of this family, hoping it shall be found agreeable to the tenderest feelings, and productive of interesting information.

I wish to attract the attention of the reader to a more important life, pregnant with the most serious evils and consequences this side of the Atlantic. Never was there so difficult an attempt made by any writer, to commence to give a satisfactory account of the life, perils and undertakings of John Howes, second son of the primitive John Howes, which embraces the sole foundation of my pen to such a powerful degree, that if the greatest revolution that ever took place in the universal world were in motion, pro-

ducing the most tremendous eruptions—causing the overthrow of kings, empires and republics, I could, not with justice to myself or the world, evade explaining its consequences and difficulties. It should be handed over to the most scientific and enlightened characters of the day, that they might develope its origin with impartiality and purify its principles from the misty bounds with which they are encircled. That the enlightened world might observe with transparency, the cruelties and vile murders he committed, —his oppressive exactions,—the motives which induced him, and important concerns he was engaged in, is a task so difficult in itself, and laborious, that it would employ the mind of a more competent talent than I am possessed of.

Although being appointed to unravel the principal incidents of his life without the least exaggeration, I have thought it expedient to comment upon it with brevity, and, as a satisfaction I owe to myself, by giving it the earliest publication. Others, I presume, may treat it with more severity, but my principle wont permit me to treat it as it deserves. But to overlook its dismal proceedings, without treating it in a manner subservient for some, and interesting for others,—without the slightest enumeration of its parts —what barely cannot be avoided,—the principles of his life are to be found in what follows:

At the breaking out of the revolution of 1775, his father had to abandon his country and property, which was confiscated. He settled at Windsor, in Nova Scotia, where he had born to him this son, John Howes, and during his residence there received a share of education in proportion to his talents; but not being endowed by nature with great acquirements, his unfortunate father never contemplated much to have him promoted in a political or military point of view, as we find he did with Henry, whose ambition and activity appeared far superior to his brother John's, which pleased his father in an admirable point of view, so he had him promoted, as it was his father's glorious element to be distinguished for every movement of his life seemed to aspire to such. However, John's character and disposition seemed, in several instances, dissimilar to that of Henry in their youthful days. Henry was his father's companion and favorite in his walks. John was the principal favorite of his mother, because his temper appeared more smooth, and his affection greater. But as he grew up, he became very precipitate in his actions and temper,—so much altered, and mind so much depraved—far beyond his mother's expectations, whose character was so humane and charitable—virtuous in every respect,—but to her misery. Her husband's cruelty and inhumanity deprived her of pleasure in this life. She departed this life before any consequences

took place. She endeavored by every means, to reclaim him, and exhorted him to return to a thought of righteousness. But his vile heart was as hard as the rock of adamant—proof against woman's influence. She saw and viewed with abhorrence the mournful incidents that were likely to descend upon her family, which sank her to the grave.

John Howes being the principal subject of this discourse, the life of whom I will treat as it deserves, by barely explaining the most momentous and important concerns connected with incidents and occurrences of this unfortunate individual, whose miserable downfall is the conscious reward of an ill-spent and unguided lifetime, which has proved his shameful ruin—not undeservingly. However, in order to proceed with precision, relying upon my own foundation, with actual knowledge, and sanctioned by indisputable testimony before the bar of justice in the Supreme Court of Halifax, during the January term of the present year, which will be found of more length in the columns of our Journal. Therefore, sufficient for the present to condense the account as much as possible. As, no doubt, many of our readers are already aware of the circumstances alluded to, and which has received the wise and dispassionate decision of the law of the land, so just and admirable for the protection of the innocent. This appearing before the respectability of the province, and so immutable as to deserve no censure.

John Howes not possessing acquirements of education sufficient to please his father, by which he remained at home; but in a little time, by the influence of his brother, then an officer in the service, he became collector of the port of Halifax, an office which he enjoyed for many years; but his shrewd conjectures, and tentative mechanical inventions, was the means which compelled him (when discovered) to abdicate that office, by exactions which he practised in a lucrative point of view. Secret communications were issued to the Secretary of affairs; immediate orders were given for his removal, by which he became reduced, and thought it expedient to abandon a city life, and retire to a country residence, where he could transact all business of importance in privacy. Previous to his removal, he got married to a lady whose name was Brooks, remarkable for her desirable fortune and qualifications, though not of an inviting appearance, and pretty far advanced in years. It appears, with accuracy, it was not for love, but for riches he married her; which, when possessed, his abrupt and disdainful temper glimmered in full uniform. However, living together for a period of fourteen or fifteen months the most hateful and disagreeable life, murdering each other on all occasions, night and day, even during their time of residence in the city, after being united in the bond of marriage. They became the discourse of all who knew or were

conversant with them; so much so, that the ladies and gentlemen walking the street, would be listening to hear what might probably be going on. In short, every person's attention was attracted as they went along, just as if their residence was a volcano, fearing an eruption about to take place. Many a repeated morning, their respectable neighbors would be alarmed at the dawn of day, and earlier, by her exclamations from her bed chamber, where he would be sacrificing her unfortunate body with kicks and blows.—No servant would stop more than eight or ten days. But one coarse, stout Irish female, who was advanced in years, and being an old follower of her mistress, and both natives of the same country, whose fortitude and courage in behalf of her mistress, elevated her in the eyes of the latter, and depressed her much with the former. So her perfection was so well known by her mistress, that if she would speak of leaving her service, she would exhort her in the most alluring and sympathising terms not to, and that any recompense in her power to give, she should have; at the same time repeating her misfortunes to her, and her miserable lifetime, &c., when the poor servant, whose name was Mary Crow, would be so affected with compassion, which would induce her from time to time to stay. However, he removed to his country residence, which did not operate in a reform of their life, every motive tending for the worse. At length her fears grew worse and worse, increasing with the great distance of the settlement in which they were placed, separated no less than fourteen or fifteen miles from the city in which her acquaintances were. The few houses that were convenient, their inmates being quite strangers, and the entire appearance of the country presenting nothing, (as is not uncommon) but a wilderness, little of it reclaimed, these considerations beginning to affect her mind, together with many others of more importance, she resolved as soon as the expiration of the month, to take her departure, and have her mistress and master to conduct themselves as they thought proper. But a thought of an affecting nature entered her mind, which sank her in spirits; however, not knowing the consequence of it, her resolution still continued as above, during which time a near relative of hers was passing that way in his stay from the city, to which she made known the whole particulars of her fears, of her determination, together with a recital of her master's and mistress' conduct; at the same time telling him to have a place, if possible, laid out for her, as she was resolved to be in the city in a few days undoubtedly. But alas! poor creature, she little knew the journey she was destined for, the fate she was to meet,—both her and her mistress, whose affection in every point of view, were highly exhilarating. At length in the space of a few days, she thought she saw a change visible for the better, in his appear-

ance, which excited her with a thought of incomparable gladness, as well as her mistress, who consulted together when his absence would permit; the conclusion of which, sometimes depressing, and other times mingled with expectations of seeing better days. But to their unhappy misfortune, we find them disappointed in this world, in a melancholy point of view; so much so, that the reader cannot but be affected with compassion, when he reads the following translation.

As the master never made much freedom with the servant, nor she with him, unless with mingled sentiments of contempt for his behavior, knowing his disposition to be so nefarious in itself, which polluted her mind in her presence, that she presented a countenance of disrespect, which he braved, and overlooked with determined steadiness, as you will see his important and infamous motives for so doing. As her bed chamber was situated right opposite to that of her mistress, but so convenient, that any noise made she could easily distinguish in a moment, and also any light which might be in use in their apartment, the rays of which, would proceed through a certain crevice into her apartment, which alarmed her many a time, and for her own satisfaction, she would rise up out of bed, and peep through this aperture into his chamber, when she would find him walking about, as if in deep meditation, with his head down, and then return to her bed in profound silence. However, on the night of the 10th of December, about one o'clock she awoke, as she conceived, whether perfect or imaginary, as we may suppose, by a delicate scream, which attracted her thoughts in a fearful manner; so much so, (as she related,) her flesh crept, and blood ran cold; notwithstanding the cause, she wished to persuade herself as if caused by phantoms. Turning herself about as if powerless, she perceived the rays of light emerging with slight interruptions into her chamber, as often before. As curiosity prompted her to see what was in motion, she rose in profound silence, made her way to the aperture, which presented a perfect view of the chamber; every step as she moved along, caused a fearful sensation in her mind. But, to her inconceivable horror and dismay, she perceived her loving and affectionate mistress the murdered victim of one, which no appellation can be formed; she saw, as she related, the murdered lying prostrate on the floor, with nothing more than her night dress, her bosom covered with blood; so much so, that she could not perceive where the fatal wound was inflicted. The weapon of destruction, was a large knife, lying upon a chair, uncleaned of the blood of the innocent. He was moving here and there, (as the saying is,) cleaning this and that, as if preparing for the removal of the body, no longer wanting; she saw him also examine a large mail bag, as we anticipate, to be the shroud of the murdered body, in which it is

to sleep in the silence of the grave, until the day of retribution will appear, when man will be summoned before the judgment, to account for his forbidden and unjust doings in this world. Let the attention of the reader be drawn once more, to see could he form an idea of what the feelings of this unfortunate and miserable spectator were, when beholding in the dead of the night, (the time appointed for the living to refresh themselves,) her beloved mistress, the prostrate victim of atrocious murder, then bleeding in her gore, situated far from friend or stranger, in the middle of a barren wilderness, knowing if she gave vent to her first emotions, no alternative in the world would appease his vengeance, but immediate death to preserve his own life. But alas! the poor affectionate female little knew what a few hours could or would produce; as she followed her mistress through many a dangerous and perilous escape, she had the mortification of beholding the most miserable and affecting sight the mind can conceive of all others, need can compare with this, the last remnant of earth's creation. The miserable spectator retraced her footsteps to her chamber, with such silence and obscurity, every step moving with such caution, as if they were to be the means of calling the dark ages of the world to exhibit their inanimate frames, which have lain thousand of years in mouldering ruins, and crush with vengeance the Christian and heathen nations into one common mass, that their remains might be mixed promiscuously, the very idea of which, would deprive man of reason, so necessary to his well being. These considerations, and many more, heaped on the mind of an individual, could not procure a more melancholy, and affected heart, than this unfortunate spectator possessed. She laid herself down with a mind overwhelmed with grief, at the awful deprivation of the rights of human nature, there already deprived—sleep had fled from her eyes; her soul was like unto the troubled waters of the ocean, undulating in every direction that the wind of heaven might blow, caused by the innumerable thoughts of a soul laboring amidst inconceivable horror and dismay, at the fate of this world, and imaginary scenes that present themselves beyond the grave, so terrifying to a troubled soul on the point of departure. She related among the rest, that she watched with an attentive ear, to hear him remove the body of the murdered from out of the fatal walls which covered him from the inclemency of the night of the dark 10th of December, a night pregnant with eternal ruin, the works of which have risen against him in this world. However, profound silence was kept by each, but after a short period of fifteen minutes, as supposed, she knew by the emerging rays, he was preparing the passage, and in a little time she heard a slight noise, as if the door received a shaking, which conducted through a narrow hall to the rear of the building. These circumstances convinced her

that he was gone to inter, in what manner she knew not, nor where the remains of his murdered wife, which he not long before had pledged his eternal happiness to, in the sanctuary of Almighty God, under the matrimonial ordinances of religion. She remained with such inquietude of mind, circumstances the most bewildering, watching painfully every hour and minute, until the light of heaven would dawn, to indicate a new day. All nature was hushed in silence there, by the rigor of winter; she heard him return after a mature hour, which increased her calamity, thinking that in all probability she was just on the brink of ruin. Knowing that silence was the only essential quality now as well as then, for her existence, which she managed with assiduity of thought, in the mean time watching with an attentive ear to hear his motions, expecting every moment to bring instantaneous death, the recompense of her faithfulness and love, for following her mistress so long. These lamentable thoughts occupied her troubled mind, with others more important. But her hour was not just arrived; she was allowed another day, the transactions of which produced momentous discoveries, productive of so much information to the solicitors. To her incomparable gladness, she beheld, (after many hours laboring in the fears which surrounded her soul that night, the mortal impressions which no language can explain,) through her chamber windows, the refulgent light of heaven beginning to break from behind the dark clouds which veil the universe at night, which she watched painfully, until a clear day shone almost around the globe. She arose, thinking her redemption from fatal ruin came with the light of day; prepared and lighted a fire, conducted the business of the day as usual, seeming to have taken no notice of the awful scenes which might presented to her horror and dismay.

The unfortunate victim who suffered the fate of hatred and disrespect, respected her poor servant so much, that she would not permit her to clean her chamber, every inducement to have her footsteps continued, and upon that account had no access to her apartment, unless seldom, which served, as she supposed, to suit the present occasion. Judging it expedient to collect her little effects from the concern, with as much wisdom and knowledge as to lead to her own preservation and interest, seeming to have observed nothing, and striving to keep up a cheerful countenance, &c., that she could embrace the first opportunity that would offer to take her departure from there, and that the consequence of the previous night might be brought to light; anticipating that an immediate conveyance would be in motion, by men going to and from the woods. Before this atrocious event occurred to her mistress, her relative who was passing that way to the city, to whom she made known the particulars of her intentions before mentioned, telling him to have a situation

prepared, and that she would undoubtedly make her appearance in the city in a few days, to which command he adhered, and engaged a situation in a private family, pledging himself that no disappointment should be. But she not coming as he expected into the city, which surprised him, that he resolved to ride out and know the reason, which accordingly he did, and arriving there, called upon her appearance; they discoursed upon particulars with familiarity, a little distance from the house, at the same time relating the dreadful catastrophe which took place, and every thing relating thereto, and the consequence, in the most mournful manner of any human being, of the miserable life she suffered, the atrocious and inhuman appearance she beheld. These alarming incidents excited him with great surprise; but to their astonishment, they perceived him coming down at a little distance, through a passage of hazel shrubs, which stunned them almost motionless, particularly the maid; but knowing it to be very injudicious, and contrary to all policy to attempt a flight, lest he would have arms by him, and knowing it would be the very means of exploding the secret. They resolved, no matter what the consequence might be, to stand their position; however, a few minutes brought him forward to them; he spoke very friendly to the gentleman, but looked the servant very shrewdly in the face, passed the compliments of the day, and passed away into the house, keeping his eye upon them with sternness; but their countenances evidently condemned them in his presence; but their situation being so dangerous as they considered, thinking to mislead his ideas, they parted with apparent warmth.

He resolved to make a speedy retreat to the city, situated fourteen or fifteen miles; the snow drifts being injurious to travelling, he did not arrive until late in the afternoon, and immediately proceeded and laid the case before a magistrate, as she related it; orders were issued to the constabulary, for a force to accompany him to his residence, to have him committed. They arrived the following morning, notwithstanding the severity of the previous night, about five o'clock, forced open the door and found him asleep; called the servant, but no answer; searched the place minutely, but nothing was found of her, but an old Bible containing her name and age. Several questions were asked him, but he gave no satisfactory answer. The miserable appearance of the house, presented nothing but an uninterrupted specimen of calamity. The constables conveyed him to the penitentiary, where he remained to wait his trial, which came standing for two days vehemently. But to attempt to give the trial entire, it would require a work four times large as the present is intended. The able counsel, whose profound talent and acquirements when excited in behalf of the inhuman murderer, caused his liberation, now so mournfully regretted by those interested and un-

interested, as one evidence was not sufficient to commit him upon the circumstances of two murders, by pampered evidences which appeared. Sufficient to say, he gained his liberty, amidst the scorn and disdain of the supreme court, unhesitatingly believed to be guilty of the murder of his wife and servant, of neither of whose mortal remains no trace can be found. Various are the opinions of the death the unfortunate servant received from the monster of insanity, whose pestilential desires infected the air; she breathed and saddened her soul unto death. Let us return, therefore, from so uncomfortable an inquiry. The evils are performed, but remain unpunished. However, we find the storm howling, and the tempest blowing, sure indications of eternal vengeance about to fall, and bring an ignominious death. It is from his future conduct, after being liberated from the above mentioned case, the attention of my pen is directed in a social point of view. The consequences of his last trial, being so injurious to his property, he was reduced to a mere nothing. After discharging every expense attending thereto, he became poor and destitute, having almost nothing to eat, looked at with disdain by every body, excommunicated from the city, banished to the miserable abode in the wilderness. He began to view with remorse, the miserable condition in life he was reduced, destitute of friend and stranger, anticipating no prospect appeared for the better, every thing seeming for the worse. The effects of his former transactions weighed deep in his mind, so much so, despairing of forgiveness in this world or the world to come. Thinking every thing was as bad as it could be, he determined to secure, if possible, his future comfort in this world. Several were the resolutions he formed in his mind, respecting projects of a different nature, some of them pleasant to his consultation, others, the termination dangerous, and almost insurmountable. Many were the plans he devised for the accomplishment of such; however, one which of all others attracted his attention, in a cheering point of view, and seemed as lucrative, resolving to risk all dangers for its accomplishment, the situation of his place seemed so well adapted to the undertaking. He determined on the robbing of her Majesty's mail, passing from Halifax to Windsor; viewing the intended place of attack, he blockaded the road, by throwing or collecting a great quantity of snow in the way, which made the road almost impassible. When the mail carrier came forward, of course he drove into the difficulty in order to pass, where the horses were entangled, as if almost sunk to the breast, appearing to be unmanageble in the difficulty, when to their surprise, a man ran down a little precipice of three or four perches, very precipitately, commanding him, as he drew a case of pistols from his breast, to deliver in one moment what the mail possessed. If he dared to move one foot farther, he would consign him to eternity.

Bounding forward, he caught hold of the reins in one hand, holding a pistol presented in the other, (self-preservation the first law of nature.) The driver stood back and made no resistance, leaving him pillage and carry off what he thought proper, a young man and lady being the only passengers, of which the former had a considerable sum of money, the produce of many a hard day. Thinking he would have to part with it, he sat trembling in his buffalo, but thought if he could see an opportunity, he would attack him; and keeping his eye upon him, perceived him lay down the pistol, as he was hauling one thing or other. Embracing the opportunity, he bounded forward and caught the pistol, and the driver, who stood trembling all the time, knowing if he made any resistance, death would be his portion; but seeing the attack, he leaped to the young man's assistance, and they soon deprived him of the arms, but were rendered useless by falling in the snow; finding themselves becoming victorious, they were excited to courage, whilst he was affected with the right opposite, which proved his destruction. After exhausting him of strength, they bound his legs with an old reserve leather trace, so that he could make no resistance; the other took a belt of worsted material, and bound his arms, and headed him into the sleigh, and returned back to the city with such joy in their arms, as if they conquered the United States upon the Oregon question.

I assure the public, between the men murdering each other through the deep snow, and horses plunging in the same as if terrified, was a sight for any traveller to relate in his native country. But, at all events, he was committed to prison, examined, sworn there to remain once more to await the serious consequences connected in the breach he attempted to commit. The January term approaching, he was tried in the Supreme Court of Halifax, and found guilty of the highest breach of the law, received his sentence to be hung on the 21st of January, at 12 o'clock. He remained laboring in sad dejection of spirits, on the lamentable and ignominious fate he was going to meet, and the fearful consequences which befell his brother, &c.

The day arrived, watched by him with such terror, and at the appointed hour he appeared, to the surprize of an immense crowd of assembly of old and young, he was dressed in the usual costume appointed to such an exhibition, so inhuman. He addressed the assembly of spectators with a lively tone of voice, of the life of his father and brother, and his own conduct. It is unnecessary to say or express every word he said. He dwelt but a short time upon any principle; therefore I will give the substance of his entire acknowledgement:

The cause for which he was married was because he was so poor that he stood in need of money, and that he took such a hatred to her that he cut her throat on the night of the 10th of December, and buried her in a grave he made in the wood; and the next day, coming from the place, as he was reviewing the place of deposition, found his servant talking to a gentleman, and knew, by her countenance and the appearance of expression, that the murder was found out. But he intended to have shot each, if possible, had they run, however. When the gentleman parted with her, and she returned, he came in and shot her through the body, and buried her a few hours after, under the trunk of a large decayed tree, for which murder, and that of his wife, he was tried, and liberated by the ability and honesty of his counsel; and that he is guilty of the offence in attempting to rob the mail stage, and if the driver had given him opposition, he would have shot him. For all these crimes the hand of Providence turned against him, and that he is going to receive the reward of an unfortunate and unhappy life, debased with the most cruel actions. The moment arrived when he was launched into eternity.

Having given a narrative of the important life and consequences entwined with the father and two sons, I have now arrived, with no small degree of sorrow, to that of the only daughter, who was married in the year 1834, to a gentleman of ample fortune, then residing at Woodstock, on the St. John river, in the province of New Brunswick, where he resided in, apparently, all the comforts of life, until the exposure of his wife's guilt, which has gone before the world in its fullest colors, having been tried in the Supreme Court of Fredericktion, N. B., during the July term of the year 1845, and which, we presume, will be found to be one of the most melancholy occurrences ever glanced before an enlightened world. As we will endeavor to give the readers an outline of the powerful and eloquent display of the antagonistic counsel, which will much more interest and instruct the reader on the awful consequences than any commentary my humble pen could produce, suffice it to say, that Maria Howes was married at Halifax, in June, 1834, to Mr. Sumner, and for many years enjoyed happiness; when, to their misfortune, an acquaintance was formed with Mr. Gordon, a young gentleman of large fortune, whose intimacy for ever destroyed their happiness in this life, and brought abortive orphanage on their poor little children. It is believed by all acquainted with the parties, that Mr. Sumner was one of the most kind and unsuspecting of husbands. Being somewhat older than his wife, he loved her to distraction, notwithstanding the character of her parentage, of which he was unconscious until after marriage. However, it does not appear, from any incident connected with the testimony produced in

Court, that he reflected on his choice; but, if any thing, quite the reverse, as the counsel for the defendant attempted to produce a connivance on the part of the husband, which failed to receive favor either from the Court or jury, as was evident from the tone of the Chief Justice, in his charge to the jury, as well as the verdict itself, which was rather a heavy stroke to such offences in future. A few months after the trial the broken hearted and disconsolate husband evacuated the country, and the unfortunate author of his misery, friendless and homeless, wandered around until the November following, when she shortened her misery in this life by a quantity of poison.

Thus, reader, thou mayst view, but not without dismay, the sad and sorrowful view of the rise and fall of this sorrowful specimen of human nature, which is enough to sadden the hearts of all who may read and reflect, with pity, over the imperfection of human nature.

TRIAL BETWEEN MESSRS. SUMMERS AND GORDON

IN THE SUPREME COURT.

Counsel for the Plaintiff, Mr. Richey.

My Lord and Gentlemen:—

I am instructed by the Plaintiff, Mr. Summers, to lay his case before you; and little do I wonder at the great interest which it seems to have excited. It is one of those cases which come home to the "business and bosoms" of mankind. It is not confined to the individuals concerned;—it besets every circle, from the highest to the lowest. It alarms the very heart of community, and commands the whole social family to the spot where human nature, prostrated at the bar of public justice, calls aloud for pity and protection. On my first addressing a jury on a subject of this nature, I took the high ground to which I deemed myself entitled. I stood upon the purity of the provincial character—I relied upon that chastity which time has made proverbial, and almost drowned the cry of in-

dividual suffering in the violated reputation of the country. Humbled and abashed, I must resign the topic, indignation at the novelty of the attempt has given way to horror at the frequency of its repetition. It is now becoming almost fashionable among us; we are importing the follies and maturing the vices of other countries; scarcely a term passes in these courts during which some unabashed adulterer or seducer does not announce himself, improving on the odiousness of his offence by the profligacy of his justification; and, as it were, struggling to record by crimes the desolating progress of our barbarous civilization. Gentlemen, if this be suffered to continue, what home shall be safe, what hearth shall be sacred? What parent can, for a moment, calculate on the possession of his child? What child shall be secure against the orphanage that springs from prostitution? what solitary right, whether of life, or of liberty, or of property, in the land, shall survive among us, if this hallowed couch, which modesty has veiled, and love endowed, and religion consecrated, is to be invaded by vulgar and promiscuous libertinism. A time there was when that couch was inviolable; when conjugal infidelity was deemed but an invention; when marriage was considered as a sacrament of the heart, and faith and affection sent a mingled flame together from the sanctuary;—are the dearest rights of man, and the holiest ordinances of religion, no more to be respected? Is the marriage vow to become but the prelude to perjury and prostitution? Shall our enjoyments debase themselves into an adulterous participation, and our children propagate an incestuous community? Hear the case which I am fated to unfold, and then tell me whether a single virtue is yet to linger among us uncontaminated; whether honor, friendship, or hospitality are to be sacred. Here the case which must go forth to the world, but which I trust in God your verdict will accompany, to tell the reader that if there was vice enough among us to commit the crime, there is virtue enough to brand it with an indignant punishment.

Of the plaintiff, Mr. Summers, it is quite impossible but you must have heard much; his misfortune has given him sad celebrity; and it does seem a peculiar incident to such misfortune, that the loss of happiness is almost invariably succeeded by the deprivation of character. As the less guilty murderer will hide the corse that may lead to his detection, so does the adulterer, by obscuring the reputation of his victim, seek to diminish the moral responsibility he incurred. Mr. Summers undoubtedly forms no exception to this system; betrayed by his friend, and abandoned by his wife, his too generous confidence, his too tender love, has been slanderously perverted into sources of his calamity. Because he did not tyrannize over her whom he adored, because he could not suspect him in whom he

trusted, he was a villain, and crime, in the infatuation of its cunning, found its justification even in the virtues of its victim. I am not deterred by the prejudice thus cruelly excited. I appeal from the gossiping credulity of scandal to the grave decisions of fathers and husbands; and I ix plore of you, as you value the blessings of your home, not to countenance the calumny which solicits a precedent to accuse their spoliation. She was then in the very spring of life, and never did the sun of heaven unfold a lovelier blossom. Her eye and look was beauty, and her breath was fragrant; the eye that saw her caught a lustre from the vision, and all the virtues seemed to linger round her life, as many spotless spirits, enamored of her loveliness. What years of tongueless transport might not her beauties gain, to render them all perfect. In the connubial rapture, there was only one, and she was blessed with it. A lovely family of infant children gave her the consecrated name of mother, and with it all that Heaven can give, of interest to this world's worthlessness. Can the mind imagine a more delightful vision than that of such a mother, thus young, thus lovely, thus beloved, blessing a husband's heart, basking in a world's smile. It was indeed the summer of their lives, and with it came the swarm of summer friends that revel in the sunshine of the hour, and vanish with its splendor. High and honored in this crowd — most gay, most cherished, most professing — stood the defendant, Mr. Gordon. He was the plaintiff's dearest friend, to every pleasure called, in every case consulted, his day's companion and evening's guest, his constant, trusted, bosom friend; and, under guise of all, O, human nature! he was his fellest, deadliest, final enemy.

Here, on the authority of this brief, do I accuse him of having wound himself into my client's intimacy — of having encouraged that intimacy into friendship — of having counterfeited a sympathy in his joys and in his sorrows — and when he seemed too pure even for skepticism itself to doubt him, of having, under the very sanctuary of his roof, perpetrated an adultery the most unprecedented and perfidious. If this be true, can the world's wealth pay the penalty of such turpitude? Now, gentlemen, if this be proved to you, here I may take my stand, and I say, under no earthly circumstances can a justification of the adulterer be adduced. No matter with what sophistry he may blaspheme, through its palliation, God ordained, nature cemented, and happiness consecrated that celestial union, and it is complicated treason against God, and man, and society, to attempt its violation. The social compact, through every fibre, trembles at its consequences; not only policy, but law; not only law, but nature; not only nature, but religion, deprecate and denounce it. Parent and offspring — youth and age — the dead from the tomb —

the child from its cradle — creatures scarce alive and creatures still unborn — the grandsire, shivering on the verge of death — the infant, quickening in the mother's womb — all with one accord re-echo God, and execrate adultery. I say, then, where it is once proved that husband and wife live together in a state of happiness, no contingency on which the sun can shine can warrant any man in attempting their separation. The hour of adversity is woman's hour. In the full blaze of fortune's rich meridian, her modest beam retires from vulgar notice; but when the clouds of wo collect around us, and shades and darkness dim the wanderer's path, that chaste and lovely light shines forth to cheer him — an emblem and an emanation of the heavens. No, it is not for the cheerfulness with which she bore the change I prize her; it is not that without a sigh she surrendered all the baubles of prosperity; but that she pillowed her poor husband's head, welcomed adversity to make him happy, held up her little children as the wealth that no adversity could take away, and, when she found his spirit broken and his soul dejected, with a more than masculine understanding, retrieved, in some degree, his desperate fortunes, and saved the little wreck that solaced their retirement. What was such a woman worth, I ask you? If you can stoop to estimate by dross the worth of such a creature, give me even a notary's calculation, and tell me then what was she worth to him, to whom she had consecrated the bloom of her youth, the charm of her innocence, the splendor of her beauty, the wealth of her tenderness, the power of her genius, the treasure of her fidelity. She, the mother of his children, the pride of his heart, the joy of his prosperity, the solace of his misfortune, what was she worth him? Fallen as she is, you may still estimate her; you may see her value even in her ruin. The gem is sullied, the diamond is shivered; but even in the dust you may see the magnificence of its material.

After this they retired to Woodstock, where they resided, in the the most domestic manner, on the remnants of their once splendid establishment. The butterflies that in their noon-tide of prosperity fluttered around them, vanished at the first breath of their adversity; but one early friend still remained faithful and affectionate, and that was the defendant. Mr. Gordon is a young man of about eight and twenty, of splendid fortune, polished in his manners, interesting in his appearance, with many qualities to attach a friend, and every quality to fascinate a female. Most willingly do I pay the tribute which nature claims for him; most bitterly do I lament that he has been so ungrateful to so prodigal a benefactress. Now, if it shall appear that all this was only a screen for his adultery; that he took advantage of his friend's misfortune to seduce the

wife of his bosom; that he affected confidence only to betray it; that he perfected the wretchedness he pretended to console, and that in the midst of poverty he has left his victim, friendless, hopeless, companionless — a husband without a wife, and a father without a child — gracious God! is it not enough to turn Mercy herself into an executioner? You convict for murder; here is the hand that murdered innocence. You convict for treason; here is the vilest disloyalty to friendship. You convict for robbery; here is one who plundered virtue of her dearest pearl, and dissolved it even in the bowl that hospitality held out to him. They pretend that he is innocent! O effrontery the most unblushing! O what insult, added to the deadliest injury! O base, detestable, and damnable hypocrisy! Of the final testimony it is true enough their cunning has deprived us; but, under Providence, I shall pour upon this business such a flood of light, that I will defy, not merely the most honorable man, but the most charitable skeptic, to touch the holy Evangelists and say by their sanctity it has not been committed. Attend upon me now, gentlemen, step by step, and with me rejoice, that no matter how cautious may be the conspiracy, there is a power above to confound and discover them.

Here the learned counsel went into a lengthy detail of the evidence:

Now, gentlemen, I request you will bear every particle of this scene in your recollection. Little wonder that Mr. Summer's tone should be violence and indignation. He had discovered his wife and friend Gordon, totally undressed, just as they had escaped from the guilty bed-side, where they stood in all the shame and horror of their situation. He shouted for his brother, and that miserable brother had the agony of witnessing his guilty sister-in-law in the bed-room of her paramour, both almost literally in a state of nudity. Gordon! Gordon! exclaimed the heart-struck husband, is this the return you have made for my hospitality! O heavens! what a reproach was there! It is not merely that you have dishonored my bed; it is not merely that you have sacrificed my happiness; it is not merely that you have widowed me in my youth, and left me the father of an orphan family; it is not merely that your have violated a compact to which all the world swore a tacit veneration;—but you—you, have done it—my friend—my guest, under the very roof (barbarous reverence!) where you enjoyed my table; where you pledged my happiness; where you saw her in all the loveliness of her virtue, and that at the very hour when our little helpless children were wrapt in that repose of which you have for ever robbed

wife of his bosom; that he affected confidence only to betray it; that he perfected the wretchedness he pretended to console, and that in the midst of poverty he has left his victim, friendless, hopeless, companionless — a husband without a wife, and a father without a child — gracious God! is it not enough to turn Mercy herself into an executioner? You convict for murder; here is the hand that murdered innocence. You convict for treason; here is the vilest disloyalty to friendship. You convict for robbery; here is one who plundered virtue of her dearest pearl, and dissolved it even in the bowl that hospitality held out to him. They pretend that he is innocent! O effrontery the most unblushing! O what insult, added to the deadliest injury! O base, detestable, and damnable hypocrisy! Of the final testimony it is true enough their cunning has deprived us; but, under Providence, I shall pour upon this baseness such a flood of light, that I will defy, not merely the most honorable man, but the most charitable skeptic, to touch the holy Evangelists and say by their sanctity it has not been committed. Attend upon me now, gentlemen, step by step, and with me rejoice, that no matter how cautious may be the conspiracy, there is a power above to confound and discover them.

Here the learned counsel went into a lengthy detail of the evidence:

Now, gentlemen, I request you will bear every particle of this

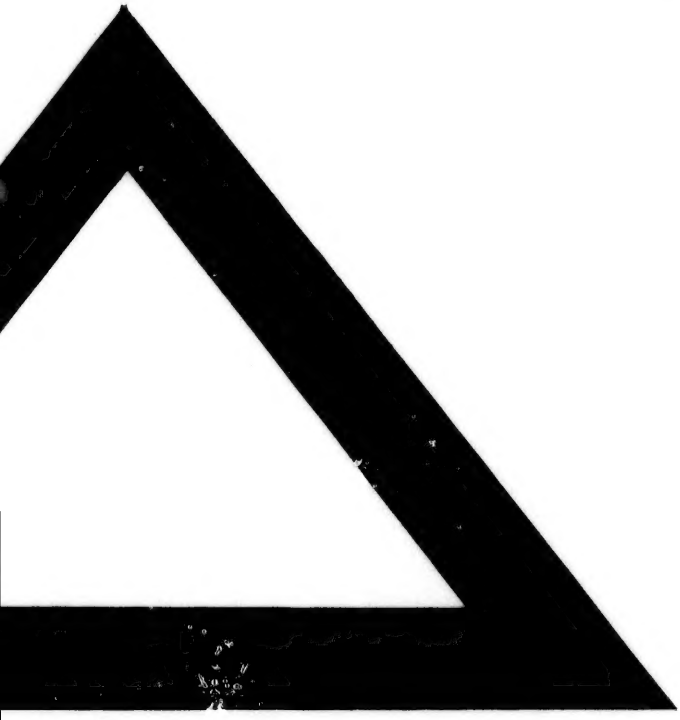
them! I do confess, when I paused here in the perusal of these instructions, the very life-blood froze within my veins! What! said I, must I not only reveal this guilt, must I not only expose his perfidy; must I not only brand the imbecility of a wife and a mother? Thank God, gentlemen, I may not be obliged to torture you, him and myself, by such instrumentality. I think the proof is full without it, though it must add another pang to the soul of the poor plaintiff, because it must render it almost impossible that his little infants are not the brood of his adulterous depravity.

Here the learned counseller adverted to the evidence of a servant maid.

Gentlemen, I do entreat of you to examine this woman, though she is an uneducated peasant, with all severity, because, if she speaks the truth, I think you will agree with me, that so horrible a complication of iniquity never disgraced the annals of a court of justice. He had just risen from the table of his friend behind him, and even from the very board of his hospitality, he proceeded to the defilement of his bed. Of mere adultery I had heard before. It was bad enough—a breach of all law, religion and morality; but what shall I call this, that seduced innocence, insulted misfortune, betrayed friendship, violated hospitality, tore up the foundations of human nature, and hurled its fragments at the violated altar, as if to bury religion beneath the ruin of society. Does our proof rest here? No; you shall have it from a gentleman of impeachable veracity, that the defendant expressed himself the discovery in his bed room; I know very well the jury will award damages against me; ask Summers will he agree to compromise it; he owes me some money, I will give the overplus in horses. Can you imagine any thing more abominable. He seduced from his friend the idol of his soul, and the mother of his children, and when writhing under the recent wound, he deliberately offers him brutes in compensation. I will not depreciate this cruelty by any comment, yet the very brute he would barter for that unnatural mother, would have lost its life, rather than desert its offspring. I have heard it asserted also, that they mean to arraign the husband as a conspirator, because in the hour of confidence and misfortune, he accepted a proffered pecuniary assistance, from the man he thought his friend. If they do, I call upon you to visit it with vindictive and overwhelming damages. I would appeal, not to this civilized assembly, but to a horde of savages, whether it is possible for the most inhuman monster, thus to sacrifice to infamy, his character, his wife, his home, his children! In the name of possibility, I deny it; in the name of human

ity, I denounce it; in the name of our common country, and our common nature, I require of the learned counsel not to prostitute such a slander upon both; but I need not do so, if the zeal of advocacy should indeed tempt to the attempt, memory would array their unhappy victim before them; their children would lisp its contradiction; their love, their hearts, their instinctive feelings as fathers and as husbands, would rebel within them, and stifle on the horrid blasphemy upon their lips. They will find it difficult to palliate such turpitude. I am sure I find it difficult to aggravate. It is in itself a hyperbole of wickedness. Honor, innocence, religion, friendship, all that is sanctified, or lovely, or endearing in creation. What compensation can reprise so unparalleled a sufferer? What solitary consolation is there in reserve for him? Is it love? Alas! there was one whom he adored with all the heart's idolatry, and she deserted him. Is it friendship? There was one of all the world whom he adored with all the heart's idolatry, and he betrayed him. Is it society? The smile of others happiness appear but the epitaph of his own. Is it solitude? Can he be alone, while memory, striking at the sepulchre of his heart, calls into existence the spectres of the past? Shall he fly for refuge to his sacred home? Every object is eloquent of his ruin. Shall he seek a mournful solace in his children? O, he has no children; there is the little favorite that she nursed, and there—there, even on its guileless features—there is the horrid smile of the adulterer.

O, gentlemen, am I this day only the counsel of my client? No—no! I am the advocate of humanity, of yourselves, your homes, your wives, your families, your children. I am glad that this case exhibits such atrocity; unmarked as it is by any mitigating feature, it may stop the frightful advance of this calamity. It will be met now, and marked with vengeance. If it be not, farewell to the virtues of your country; farewell to all confidence between man and man; farewell to that unsuspicious and reciprocal tenderness, without which marriage is but a consecrated curse. If oaths are to be violated, laws disregarded, friendships betrayed, humanity trampled; national and individual honor stained, and if the perjury of fathers and husbands will give such miscreancy a passport to their homes, and wives, and daughters, farewell to all that yet remains to your country. Mark this day, by your verdict, your horror at the profanation, and believe me, when the hand which records that verdict shall be dust, and the tongue that asks it traceless in the grave, many a happy home will bless its consequences, and many a mother teach her little child to hate the impious treason of a dwelling. O, I know I need not ask this verdict from your mercy; I need not extort it from your compassion; I will receive it

from your justice. I conjure you, not as fathers, but as husbands; not as husbands, but as citizens; not as citizens, but as men; not as men, but as Christians; by all your obligations, public and private, moral and religious; by the hearth profaned, by the home desolated, by the canons of the living God fatally spurned, save, O save your firesides from contagion, your country from the crime, and perhaps thousands yet unborn, from the shame and sin and sorrow of this example.

Here the learned counsel resumed his seat, amidst acclamations of applause. When silence was restored, the jury retired, and shortly after returned with a verdict of *One Thousand Five Hundred Pounds.*